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PATENT #17
Attorney Docket No. 30093

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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GROUP 2300

In re Application of:

LeRoy G. Hagenbuch

Group Art Unit: 2304

Serial No. 351,179

Examiner: J. Dixon

Filed: May 12, 1989

For: APPARATUS AND METHOD
RESPONSIVE TO THE ON-
BOARD MEASURING OF
HAULAGE PARAMETERS OF A
VEHICLE

**RESPONSE TO FINAL OFFICE ACTION AND
PETITION FOR THREE-MONTH EXTENSION
OF TIME UNDER 37 C.F.R. § 1.136(a)**

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In accordance with the provisions of 37 C.F.R. § 1.136(a), applicant, by his attorney, hereby petitions for a three-month extension of time to and including October 20, 1992, to file a response to the Office Action of April 20, 1992, which carried an original response date of July 20, 1992.

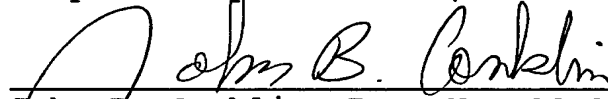
A check in the amount of \$420 for the three-month extension fee is enclosed. Any additional fee which may be due or any other charges in connection with this application should be charged to Deposit Account No. 12-1216.

On October 20, 1992, one of applicant's attorneys, John B. Conklin, contacted Examiner Dixon by telephone in order to conduct an interview concerning the outstanding final Office Action. Although no specific amendments to the claims were discussed, Mr. Conklin inquired concerning overcoming the outstanding rejections of certain ones of the claims by amending the claims to incorporate a definition of the phrase "haul cycle." The inquiry was prompted by the statement at paragraph 17 in the final Office Action that applicant's argument

concerning haul cycles "appears to read more into these words than their literal meaning." In this connection, Mr. Conklin proposed the filing of a Rule 62 continuation application in order to appropriately amend the claims to incorporate a definition of "haul cycle" if Examiner Dixon was amenable to such an approach as a way to overcome the rejection. Mr. Dixon indicated that the approach proposed by Mr. Conklin was in accordance with the spirit of the remarks in paragraph 17 of the Office Action and should serve to advance the prosecution of any continuation application. Therefore, in response to the final Office Action, applicant has filed a file wrapper continuation application for the purpose of prosecuting amended claims as proposed.

Signed at Chicago, in the County of Cook and State of Illinois, on October 20, 1992.

Respectfully submitted,



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